

## TOWN OF TYNGSBOROUGH

Office of the Board of Selectmen

25 Bryant Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

**APPROVED**

### Board of Selectmen Meeting Minutes

Monday, June 25, 2012 at 6:00 P.M.

Community Room, Town Offices, 25 Bryant Lane

Members Present: Selectwoman Karyn Puleo, Selectman Rick Reault, Selectman Allen Curseaden, Selectman Corliss Lambert

Member Absent: Selectman Robert Jackson

Staff Present: Michael Gilleberto, Admin Assistant Therese Gay

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law.

#### **1. 6:00 PM Open Meeting/Pledge of Allegiance/Read Agenda/Board Introduction**

The Vice-Chairman called the meeting to order. The Pledge of Allegiance was recited. The Board introduced themselves. The Agenda was read by Selectman Reault, Clerk of the Board.

#### **2. Citizen/Business Time - No Citizen came forward.**

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

#### **3. Meeting Minutes Review/Approve**

**A. Tuesday May 29, 2012**

**B. Monday June 4, 2012**

**C. Monday June 11, 2012**

The Vice-Chairwoman spoke with the Chairman about the minutes and Selectman Jackson had no issues with the minutes and the Board can go ahead and approve them.

The Board voted 4-0-0 on a motion by Selectman Reault, second by Selectman Lambert to approve the Minutes of Tuesday May 29, 2012; Monday June 4, 2012 and Monday June 11, 2012 with the amendment of a scrivener's error.

#### **Executive Session Minutes Review/Approve**

**D. Tuesday May 29, 2012**

**E. Monday June 4, 2012**

The Board voted 4-0-0 on a motion by Selectman Reault, second by Selectman Lambert to approve the Executive Session Minutes of Tuesday May 29, 2012 with the amendment of striking only to adjourn, and Monday June 4, 2012.

#### **Executive Session Approved Minutes For Release**

**F. Monday September 12, 2011**

**G. Monday May 21, 2012**

**H. Tuesday May 29, 2012**

The Board voted 4-0-0 on a motion by Selectman Reault, second by Selectman Lambert to release the approved Minutes of Monday September 12, 2011; Monday May 21, 2012 and Tuesday May 29, 2012.

#### **4. Old Business**

##### **A. Goals – Discussion**

The Vice-Chairwoman spoke with the Chairman asks that the Board place this item on the next agenda for further discussion.

##### **B. Pawtucket Boulevard Signage – Update and Discussion**

Deferred to a future agenda, the Board is awaiting word from the Mass DOT District Office.

##### **C. Vacant House at 11 Indian Lane – Discussion**

The Town Administrator is in communication with Mass DOT on the acquisition of the vacant house on 11 Indian Lane. The Administrator along with the Selectman Curseaden, Building Commissioner, School Superintendent, Police Chief, Fire Chief and the Chairman of the Tyngsborough Housing Authority to look at the best possible use of the building. The discussions ended with a consensus that the best use would be a housing unit under the supervision of the Tyngsborough Housing Authority. The house cannot be turned into a duplex. There is an extensive amount of work to make the house habitable as it was prepared for demolition. The use of the GLTHS students is an option. Selectman Lambert stated that he is a member of the Tyngsborough Housing Authority and has no questions. Mr. DeLeo, Chairman Tyngsborough Housing Authority asked why a member of the Housing Authority does not have a seat on the NMCOC Board, the Board did have an alternate and now that seat is vacant, Selectman Reault will ask is the vacancy can be filled with a designee. Mr. DeLeo asked about the status of the Taxation Aid Committee, the Board will be appointing the committee as requested. The Board discussed the conveyance of the vacant house and will contact Town Counsel to work with the State Attorneys to see which entity the deed will be assigned to. Selectman Lambert left the room because of the discussions involved the Tyngsborough Housing Authority of which he is a member. Selectman Reault suggested to go with the State and see what they say, there should be no cost to the town. Selectman Curseaden agrees. The Board voted 3-0-0 on a motion by Selectman Reault, second by Selectman Curseaden to have an agreement to move forward to have the State convey for 0 dollars, deeding the property to the Tyngsborough Housing Authority, and to seek support from Senator Donoghue and Representative Garry. Selectman Lambert returned to the meeting.

##### **D. Housing Production Plan - Discussion**

The Administrator presented the draft of the housing production plan. The deadline to update is past but with the help of NMCOC staff the Town has made significant progress. NMCOC has submitted the goals and strategies to meet the recommendations, they are included for the Board to review and make comments. I will forward the draft to the Housing Authority, the Planning Board and the Zoning Board of Appeals for review and comment. The Board will meet with NMCOC July 30<sup>th</sup>, the Administrator asks that the Board give their comments prior to the meeting. There will be a more broad public hearing in August with the Planning Board, and the Zoning Board of Appeals and the Tyngsborough Housing Authority.

#### **5. New Business**

##### **A. 7:30 PM Common Victualler License Request – Lin's Café, 130 Middlesex Road**

The Board reviewed the application heard the presentation by Ms Wong, representing Mr. Lin who will be opening the restaurant, he will be offering Asian cooking. There were no comments from the Departments in the packet. The Board voted 3-1-0 on a motion by Selectman Reault, second by Selectman Lambert to approve the Common Victualler License to Lin's Café on condition that the comments from the various departments be circulated and responses ready for July 9<sup>th</sup> for review.

##### **B. 7:45 PM Common Victualler License Request – Mario's Pizzeria, 92 Middlesex Road**

Deferred to Monday July 9<sup>th</sup>.

##### **C. 8:00 PM Common Victualler License Request – Funtageous, 18 Pondview Place**

Deferred to Monday July 9<sup>th</sup>.

##### **D. Information Technology - Discussion**

The Board had a brief discussion on town hall and school technology; the Chairman of each committee has been discussing the formation of a technology committee to look at the needs of the town and school.

#### **E. Highway Wash Station**

The Town Administrator gave a brief overview of the past construction of the wash pad at the Highway Garage, the wash station has no building to shield the drivers from the winter elements when washing down the trucks after sanding and salting during winter operations. The Town at a Town Meeting voted funds to be used to finish the existing wash pad with a building and heating. After reviewing the plans and with available funds the Town Administrator recommends going with alternative 1 and this option was recommended by the Highway Forman. Mr. Hustins would like to see the wash pad enclosed before winter. The Highway Forman Mr. Hustin and Mr Gill were present also present were members from Woodard and Curran to offer information and the Foremen requested the Board to move forward with alternative 1. Selectman Curseaden says he is familiar with the project and the original design. He proposed a package to Ms. Rosemary Cashman, Town Administrator that would be cost effective on a long term step process that would culminate with a drive through automated power wash station. The washed salt water could be reserved and used to precondition the roads. The Board agrees in principle with Selectman Curseaden's plan, but the town has funded \$80,000 and no more and it would be disadvantageous to hold off. The Board after discussion voted 3-1-0 on a motion by Selectman Reault, second by Selectman Lambert to move forward with alternative 1 as presented. Selectman Curseaden voted against the motion.

#### **F. Old Town Hall Clerk of the Works**

- **Special Municipal Employee Designation - Historic Commission**

The contract with CBI for the OPM has been finalized with the recommendation to have a Clerk of the Works with on-site supervision by a member of the Historical Commission. The Town Counsel suggested the Historical Member be designated as a Special Municipal Employee. Selectman Reault is a member of the three man committee charged with finalizing the contract and securing the OPM and Clerk of the Works he presented a brief overview of the process the used to arrive to the contract and appointment. Selectman Curseaden thought that the Board would have advance notice through correspondence before an action item would be before the Board. The Board has received no formal request from the Historical Committee for the appointment and the Board has no resume of the individual to be appointed. The individual is very well and that he can accomplish the work. Discussion on presenting the information before placing it on an agenda for action ensued, the Board has in the past been informed through correspondence prior to voting on an agenda item. Selectman Curseaden motioned that the Board continue this discussion for appointment to the next Selectmen's meeting date of July 9. No one second the motion therefore the motion fails. The Selectmen are looking for a resume for the individual, the minutes from the committee re he appointment and a letter from the committee requesting the appointment. After some discussion the Board voted 3-1-0 on a motion by Selectman Reault, second by Selectman Lambert to designate the Historical Commission a Special Municipal Employee. Selectman Curseaden voted against the motion.

- **Appointment**

The Board voted 3-1-0 on a motion by Selectman Reault, second by Selectman Lambert to appoint George Dupras as the Clerk of the Works on the Old Town Hall Renovation project subject to the submittal of a resume, the minutes and a letter of request by the Historical Commission and to have the Town Administrator make the offer and sign the appointment letter once the requested items are received. Selectman Curseaden voted against the motion.

Selectman Curseaden left the meeting at 8:20 PM.

#### **G. Annual Appointments**

The Board voted 3-0-0 on a motion by Selectman Reault, second by Selectman Lambert to appoint the following: Dave Robson Animal Control for 1 year; Dave Robson Animal Inspector for 1 year;

Kerry Colburn-Dion, Treasurer; Barry Dick, School Committee; for 1 year and the Board voted 3-0-0 on a motion by Selectman Reault, second by Selectman Lambert to appoint Karyn Puleo to the Capital Asset Management Committee for 1 year; William Gramer, Planning Board Appointee, Darryl Wickens, Finance Committee Appointee and Mark L. Rohrbaugh, Member At Large to the Community Preservation Committee for 3 year; Jerome Earl and Edward J. Smith to the Conservation Commission for 3 years; Claire Downing, Mildred Poirier, Patricia Quinn and Terry Martineau to the Council on Aging for 3 years; Kerry Colburn-Dion and Phil O'Brien and Charlotte Chafe for 1 year, Pauline Knight for 2 years and Richard DeLeo, Jr for 3 years to the Elderly and Disabled Taxation Aid Committee; Wesley W. Russell Emergency Management Director for 1 year; Timoghty J. Madden, Fire Chief and William Mulligan, Police Chief as Emergency Preparedness Committee for 1 year;

Fire Department Appointments for 1 year are: James P. Doster, Raymond J. Ledoux, Arthur E. Michaud, and Timothy Madden as Members to the Board of Fire Engineers; Timothy J. Madden, Fire Chief, Forest Warden, and Right to Know Officer; Donald B. Singleton, Deputy Fire Chief; Wilfred D. Mercier, Assistant Chief, Captain Wesley W. Russell, Captain Christopher P. Newton, Lt. Jason R. Newton as Fire Fighters at Sta. 1; Lt. Dana M. Cocozziello, Lt Douglas P. Latulippe, as Fire Fighters at Sta. 2; Capt. Patrick Sands and Lt. Laval Blanchette as Fire Fighters at Sta. 3; Jill E. Bowen, George L. Dupras, and Joy K. Richardson, Historic Commissioners for 3 years; Gene Spickler, Town Collector as the Parking Clerk for 1 year;

Police Department Appointment are: Glenna Greenslade as E-911 Municipal Coordinator for 1 year; M. Michael Johnson and Matt Leung as Part-Time Clerk Dispatchers for 1 year; Glenna Greenslade, Kathie L. Johnson, Lisa A. Strobel, and Walesca Carrucini as Police Matrons for 1 year; Cynthia Weeks as Sergeant for 2 years; Nathan Adballah, Paul Patalano, Kevin Ronan, Timothy Cooper, Carlos Borges, Brian Jones, Edward Cassie, and Robert Dolins as Reserve Officers for 1 year; John Callahan, Edward Cossette, Michael Johnson, Philip B. LeBlanc, John Martin, Jose Martinez, Richard Mello, Joseph P. Pivrotto, Joseph E. Taff and Top Phonexay Xayachack as Special Police Officers for 1 year.

Dunstable Officers as Special Police Officers in Tyngsborough as follows: James G. Downes, III Police Chief, Lt. James W. Dow, Sgt. Darrell Gilmore, Master Patrolman Nicholas Papageorgiou, Ptl. Charles Chaprales, Ptl. Ryan Koles, R.O. George Aggott, R.O. Sean Ready, R.O. Daniel Kowaski, R.O. John Koyutis, R. O. James G. Downs, Jr., R. O. Michael Tedesco, and R. O. Gregg Sanborn for 1 year.

Groton Officers as Special Police Officers in Tyngsborough as follows: Chief Donald L. Palma, Jr., Lt. James A. Cullen, III, Det. Cory E. Waite, Sgt. Derrick J. Gemos, Sgt. Edward P. Sheridan, Sr., Sgt. Paul R. Connell, Sgt. Jason M. Goodwin, Ptl. Nicholas C. Beltz, Ptl. Kevin T. Henahan, Ptl. Robert L. Breault,

Ptl. Rachel E. Mead, Ptl. Peter S. Breslin, Ptl. Irmin L. Pierce, III, Ptl. Gordon A. Candow, Ptl. Dale P. Rose, Ptl. Omar A. Connor, R. O. Edward Bushnoe, R. O. Gregory W. Steward, R. O. Stephen McAndrew, R. O. Ryan Cole, R. O. Rachel Robinson, R. O. Patrick Timmins, R. O. Bethany Evans, R. O. Victor Sawyer for 1 year.

#### **H. Employee Dental Program – Approve Contract**

The Administrator and the Treasurer reviewed the dental program that has been worked on and discussed during the last few months. The Treasurer has found a plan that works for town employee at a good rate, the town will not pay any money towards the rate, it will be available to the police officers also. The Board voted 3-0-1 on a motion by Selectman Reault, second by Selectman Lambert to approve and sign the contract. Selectman Curseaden recused himself from voting.

#### **I. St. Mary Lane Street Acceptance Order of Taking – Adoption**

The Administrator this the next step after Town Meeting accepted the way as laid out is to adopt the order of taking, once the Board adopts the taking Town Counsel will record such way at the registry of deeds. The Board voted 3-0-0 on a motion by Selectman Reault, second by Selectman Lambert to adopt the order of taking of St Mary Lane.

#### **J. Council on Aging Alternate Bus Driver – Appointment**

The Council on Aging Director, Barbara Roche, is in need of a part-time back up bus driver to fill in when the present bus driver is out. Ms Roche recommends Gerard Richall be appointed to fill in, the background checks have been completed. The Board voted 3-0-0 on a motion by Selectman Reault, second by Selectman Lambert to appoint Gerard Richall as a part-time back up bus driver for the Council on Aging.

#### **K. Bridge Meadow Recreational Property License - Authorization**

The Town Administrator presented the request to the Board for action. The Executive of Columbia Films is requesting to use the Bridge Meadow Field parking lot as a base camp for the filming crew. The crew will be filming a production "Grown Ups 2" at the Westford Quarry. They will shuttle the crew from the parking lot to the quarry site. Mr. Judge who is the Assistant Location Manager has informed the Administrator that the crew will be using the parking lot of the Butterfly Place and has asked permission to use the Bridge Meadow parking lot be used for the employees and patrons of the Butterfly Place. The Administrator and Town Council agree that a license is needed. A draft is included in this evening's packet for the Board's review. Selectman Lambert is in favor of the use so long as it does affect the town residents supports the authorization and license. The Board voted 3-0-0 on a motion by Selectman Lambert, second by Selectman Reault to authorize the Town Administrator to continue discussions and to sign the contract.

#### **6. Citizen/Business Time - No one came forward.**

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#### **7. Correspondence**

A list of correspondence will be included with approved meeting minutes per the requirements of the Massachusetts Open Meeting Law and may be posted online at [www.tyngsboroughma.gov](http://www.tyngsboroughma.gov). Copies of correspondence may be requested from the Office of the Board of Selectmen.

The Board voted 3-0-0 on a motion by Selectman Reault, second by Selectman Lambert to accept the correspondence as read.

#### **8. Review Weekly Warrants**

The Town Administrator read the weekly warrant that was signed by the Board into the record as follows: warrant #50(1) for 6/15/12 in the amount of \$376,600.83; warrant #50(2) 6/15/12 in the amount of \$376,600.83; warrant #50(3) 6/15/12 in the amount of \$376,600.83; warrant #50(4) 6/15/12 in the amount of \$376,600.83; warrant #50(5) 6/15/12 in the amount of \$373,493.93; warrant #51B 6/18/12 in the amount of \$845,459.87; warrant #51S 6/18/12 in the amount of \$412,623.44; warrant #51B 6/18/12 in the amount of \$2,273,434.13; and warrant #51B 6/25/2012 in the amount of \$34,765.43.

#### **9. Town Administrator's Reports**

- Response to Selectmen's Requests

This is the first agenda to fully integrate the proposed changes to the agenda format.

- Budget

The Interim Town Accountant has issued a memorandum regarding the departmental fuel budgets. The final FY 2012 transfer will be brought to the Board of Selectmen and Finance Committee on Monday July 9<sup>th</sup> for approval.

- Departmental Information

Effective July 1, 2012, a new appliance recycler will service the Town. The announcement is posted on the Town website, and a copy of a recent communication concerning insurance for the upcoming Historical Commission Car Show.

- Contracting/Procurement

Attached are copies of the signed MIIA contracts for the Town Property and Casualty and Police Accident Insurance.

- Other

There is correspondence from Senator Donoghue and Representative Garry concerning the dedication of the new boulevard.

Council on Aging Director Barbara Roche and I visited Jeanne Roy, who turned 102 years old on Friday. She is the oldest resident of Tyngsborough. She was identified as a result of the ongoing efforts initiated by Barbara to obtain accurate information on our senior citizen population. Attached is the information from MEMA Incident Command System overview course. Attached is a copy of the Greater Lowell Technical High School's presentation regarding their proposed school reconstruction project.

#### **10. Selectmen's Reports**

Selectman Lambert would like to see updates of meetings and events in town between now and the July 9<sup>th</sup> meeting. The Administrator presented an updated schedule this evening and will circulate the schedule on Monday and Thursday of each week. As for the Bridge I will defer to Selectman Curseaden, the work is approaching the homestretch and hope to complete as schedule for July. Thank you to the Town Administrator and to Selectwoman Puleo for conducting the meeting this evening.

#### **11. Executive Session (if needed)**

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

The Board voted on a motion by Selectman Reault, second by Selectman Lambert to enter into Executive Session to discuss, collective bargaining and personnel as an open meeting may have a detrimental effect on such subject matter and to return to open session only to adjourn.

Roll Call Vote: Selectman Lambert, yes; Selectwoman Puleo, yes; Selectman Reault, yes.

The Board entered into executive session at 9:00 P.M.

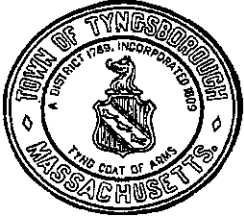
#### **12. Adjournment**

The Board voted 3-0-0 on a motion by Selectman Reault, second by Selectman Lambert to adjourn the meeting. The meeting adjourned at 9:20 PM.

Respectfully Submitted by

Therese Gay  
Admin Assistant

Approved on Monday July 9, 2012



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Office of the Board of Selectmen

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Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

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Community Room, Town Offices, 25 Bryant Lane

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**A. Tuesday May 29, 2012**

**B. Monday June 4, 2012**

**C. Monday June 11, 2012**

##### **Executive Session Minutes Review/Approve**

**D. Tuesday May 29, 2012**

**E. Monday June 4, 2012**

##### **Executive Session Approved Minutes For Release**

**F. Monday September 12, 2012**

**G. Monday May 21, 2012**

**H. Tuesday May 29, 2012**

#### **4. Old Business**

**A. Goals - Discussion**

**B. Pawtucket Boulevard Signage - Update and Discussion**

**C. Vacant House at 11 Indian Lane - Discussion**

**D. Housing Production Plan - Discussion**

#### **5. New Business**

**A. 7:30 PM Common Victualler License Request - Lin's Café, 130 Middlesex Road**

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92 Middlesex Road**

**C. 8:00 PM Common Victualler License Request - Funtageous, 18 Pondview Place**

**D. Information Technology - Discussion**

**E. Highway Wash Station**

**F. Old Town Hall Clerk of the Works**

- **Special Municipal Employee Designation - Historic Commission**

- **Appointment**

**G. Annual Appointments**

**H. Employee Dental Program - Approve Contract**

- I. St. Mary Lane Street Acceptance Order of Taking - Adoption**
- J. Council on Aging Alternate Bus Driver – Appointment**
- K. Bridge Meadow Recreational Property License – Authorization**

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**8. Review Weekly Warrants**

**9. Town Administrator's Reports**

- Response to Selectmen's Requests
- Budget
- Departmental Information
- Contracting/Procurement
- Other

**10. Selectmen's Reports**

**11. Executive Session (if needed)**

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**12. Adjournment**

**Future Meetings**

**\*\*\*Wednesday July 4, 2012 Town Hall Offices will be Closed in Observance of the July 4<sup>th</sup> Holiday\*\*\***

**Monday, July 9, 2012 at 6:00 PM at the Town Offices**

**Monday, July 30, 2012 at 6:00 PM at the Town Offices**

# Board of Selectmen Correspondence - Week of June 22, 2012

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